

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, March 12, 2012 at Town Hall, 254 Main St, Highland Falls at 7:00pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member
	June Gunza	----	Council Member
	Holly Gokey	----	Council Member
	Justin Rider	----	Counsel
	June Patterson	----	Town Clerk

Supervisor Livsey opened the meeting at 7pm.

PUBLIC COMMENT

None

RE-VALUATION COMMENTS

Supervisor Livsey asked if anyone would like to speak about the re-valuation.

Jennifer Hurst expressed her concern over the amount her house went up and urged the Board to stop the re-assessment.

Mervin Livsey stated that he was opposed to the re-valuation when he was on the Board and he is still opposed to it. Mr. Livsey asked the Board to take another look at this and maybe reconsider it.

Supervisor Livsey said that the former administration put the re-valuation through and this Board cannot do anything with it. The Supervisor explained the steps that the residents can take if they are unhappy.

MINUTES

Council Member Edsall asked the Town Clerk to add “approximately” to his comment about the cost of the first water bills.

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes, with the minor addition, from the February 27, 2012 meeting.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

COMMUNICATIONS

Supervisor Livsey received the following correspondence:

Letter from the Orange County Department of Planning announcing 2 energy code presentations on March 29.

Information on an Arts grant that is available to the public.

Letter from the Village stating that they will be scheduling a day of remembrance for 9/11 on July 31 and they are asking for donations.

Letter from Orange County in reference to new DEC maps.

A request from the Rotary Club for permission to have a fundraising race to benefit the scholarship for O'Neill High School on August 26.

Council Member Edsall made a motion seconded by Council Member Stradley to approve the Storm King Run on August 26, 2012.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

FINANCIAL REPORTS, REQUESTS, RESOLUTIONS

Annual Update Document:

Supervisor Livsey reported that the Comptroller is preparing the document and is requesting an extension.

Council Member Stradley made a motion seconded by Council Member Edsall to adopt the resolution of the Town Board extending the filing date of the financial information to the Town Clerk.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

******RESOLUTION ATTACHED******

First Niagara Bank:

Supervisor Livsey would like the Board to approve First Niagara Bank (formerly HSBC) as an official depository of the Town of Highlands.

Council Member Gunza made a motion seconded by Council Member Edsall to approve First Niagara Bank as an official depository of the Town of Highlands.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

TOWN BOARD

MARCH 12, 2012

Move Reserve Funds:

Council Member Edsall made a motion seconded by Council Member Gunza to move a total of \$131,000 in Reserve Funds from NYClass to HSBC (First Niagara).

MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays

Accounts Payable:

Council Member Stradley made a motion seconded by Council Member Gokey to approve the A/P Register totaling \$649,758.96.

MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays

Cash Audit:

Supervisor Livsey said that the Comptroller did a cash audit and there were a couple of discrepancies. The Supervisor said that it has been suggested that the Cash Policy be amended to state that "all shortages/overages in the petty cash may be required to be paid back by the person responsible for that cash.

Mr. Rider suggested that Civil Service Law be reviewed first.

Supervisor Livsey will table this until the next meeting.

BOARD LIAISON REPORTS

Council Member Gokey:

Building Dept: The new building Inspector is getting his feet wet. Mr. Hager is taking care of a couple of outstanding issues and doing temporary residence motel inspections.

Assessor: Some residents are happy and some are not over the new assessments.

Safety Committee: Will be meeting on Wednesday.

June Gunza:

Ambulance: Only had 23 calls in February.

Fire Dept: Both Fire Departments are doing well. The Highland Falls Fire Dept is now hooked up to 911.

Police Dept: The new officers have made it easier to fill shifts and give additional security to the Court.

TOWN BOARD

MARCH 12, 2012

Disaster Committee: Meeting Thursday to interview 3 candidates.

Supervisor Livsey said the only additional hours the new Police Officers have created is for the Court.

Council Member Edsall:

Water: Currently working on the easements and the core drilling was done last week.

Sewer: Had an unscheduled visit from DEC with good results, minus the bad housekeeping.

Planning Board: Nothing to report.

Zoning Board: They have had many pretentious meetings about the Lawless property.

Supervisor Livsey reported that since January the "Water Committee" has been meeting weekly to get things accomplished. The Supervisor said the money has been applied for and the ground breaking should be around late September.

James Stradley:

Vision: Met with them on Saturday to discuss improvements to Patriot Garden. They are looking to possibly putting in two small gardens in the front. Also, the lamps need to be checked out.

Ethics Committee: In the process of contacting the previous committee. Spoke to Joe Baldomir who is still willing to be on the committee, sent an e-mail to Marie Webster and still need to make contact with Ray Devereaux.

Dial-A-Bus: Spoke to Ms. Solan. In the process of setting up a Safety Committee.

SUPERVISOR'S REPORT

Supervisor Livsey didn't have anything to report except that he is very busy and happy.

ATTORNEY'S COMMENTS

Mr. Rider reported that he is working on things for certain people.

Supervisor Livsey asked Mr. Rider to let the Board know if they are not doing something that they should be doing.

UNFINISHED BUSINESS

Court Records:

Supervisor Livsey said everyone needs to work together to get these records in order. The Supervisor said the records will be accepted by the School after they have passed an inspection for mold. The Supervisor said the goal is to get rid of the POD and clean up the back of the building.

Judge Fatsis said he will work with the Town Clerk to get the records in order and report back to the Board.

Mr. Rider said the Board's involvement would be to authorize funds needed. Mr. Rider reached out the Court Administration and they are working with communities to come up with a rational plan for records.

Community Service:

Judge Fatsis suggested getting Vision's help with the Community Service Program.

Council Member Edsall said that was discussed at the last Vision meeting and there is a concern about liability. Mr. Edsall also suggested contacting the Rotary Club and Battlesite Association for help.

Mr. Rider said if someone is overseen by a Town employee, they would be covered under the Town's umbrella.

Supervisor Livsey told the Judge not to worry about liability because the Board would take care of it.

MHE Energy Study:

Supervisor Livsey asked Council Member Edsall where the energy study stood.

Council Member Edsall said that Mr. Hauser is on vacation, but he did ask him for a revised quote before he left.

IT Proposal Update:

Council Member Gokey said that our IT Department has recommended that the Town go with an outside company for a second backup. Ms. Gokey said the quote for the update is \$1,151.15.

Council Member Gunza asked if it was budgeted for.

TOWN BOARD

MARCH 12, 2012

Council Member Gokey said it might be close, but she believes there is enough money in the budget to cover this upgrade.

Supervisor Livsey would like the website to get straightened out so the Town Clerk can put agendas, resolutions, etc on it instead of going through New Windsor IT.

Council Member Gokey made a motion seconded by Council Member Edsall to approve New Windsor IT Group to upgrade the Town of Highlands network at a cost not to exceed \$15,000 and being paid for out of the IT budget.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

Volunteer Recognition Luncheon

Supervisor Livsey received a flyer about a luncheon honoring volunteers and a request for a donation. The Supervisor asked what the Board thought.

Mr. Rider said that it is legally permissible, but he would be concerned about how many more requests the Town might receive.

Council Member Edsall is not comfortable with this.

Supervisor Livsey gave the information to Mr. Feducia to review and comment on later in the meeting.

Water District #2 Update

Supervisor Livsey said that the bills that are going out in May will look different than the bills the residents are used to seeing. The Supervisor had the camera operator put a picture of the new bill on the TV and explained it to the public.

Recreation Insurance Reserve Fund

Supervisor Livsey reported that Mr. Rider has discovered that the reserve fund cannot be used to self insure the Town's recreation programs. The Supervisor said that the money from this account will need to be transferred to another reserve account.

Police Department Clerk

Council Member Stradley wanted this brought up so it is not forgotten.

Council Member Gunza said there are other issues the Police want from the Board before a clerk.

TOWN BOARD

MARCH 12, 2012

Dial-A-Bus Contract

Supervisor Livsey said that Mr. Rider has reviewed the contract and everything is in order.

Council Member Stradley said that Ms. Solan is doing a good job with the Dial-A-Bus.

Council Member Gokey made a motion seconded by Council Member Stradley to approve the Supervisor to sign the agreement between the Town of Highlands and County of Orange for the New York Statewide Mass Transportation Operating Assistance Program.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

******RESOLUTION ATTACHED******

Ethics Committee

Council Member Stradley said he is setting up a meeting and will report at the next Board meeting.

4th of July Celebration Insurance

Supervisor Livsey said Mayor D'Onofrio informed the Supervisor that because the Village's insurance company does not charge anything additional, the Village will insure the activities. The Supervisor explained that the Town's insurance was going to charge \$1,200 for the extra liability.

Update Recreation Agreement

Supervisor Livsey said the Recreation Agreement is old and needs to be renewed. The Supervisor said Village Clerk Taylor and Trustees DiSalvo and Parry are going to meet with the Recreation Commission.

Roe Park Expenses

Supervisor Livsey would like to narrow things down more. The Supervisor tabled this issue for a future meeting.

DWI Contract

Supervisor Livsey has been asked by Chief Quinn to adopt a resolution to execute an agreement for Stop DWI Program Services.

TOWN BOARD

MARCH 12, 2012

Council Member Gokey made a motion seconded by Council Member Gunza to adopt the resolution of the Town of Highlands to authorize execution of an agreement between the Town of Highlands and Orange County for Stop DWI Program Services.

MOTION CARRIED: 4-ayes (Edsall, Stradley, Gunza, Gokey)

0-nays

1-abstain (Livsey)

******RESOLUTION ATTACHED******

Capital Assets Policy

Supervisor Livsey said that the Comptroller has put together a Capital Assets Policy and it has been reviewed by Mr. Rider.

Council Member Gunza said that it is a good policy.

Council Member Edsall would like it to be clearer.

Council Member Edsall made a motion seconded by Council Member Gunza to approve the Capital Asset Policy with the addition that the asset be identified as those being contained in the approved Capital Asset list.

Volunteer Recognition (cont'd)

Mr. Feducia said the County is low on funds and it would be up to the Town if they wanted to make a donation.

Supervisor Livsey would like to table this for now.

Dumpster

Supervisor Livsey said that the Building Inspector has checked out the dumpster issue that Mr. Malarky spoke about at the last meeting and he has issued a warning.

PUBLIC COMMENT

Dave Tonneson complimented the Board on how they are handling Water District 2. Mr. Tonneson expressed his concern about some of the assessments. Mr. Tonneson said there are many errors and that it was done poorly.

TOWN BOARD

MARCH 12, 2012

EXECUTIVE SESSION

Council Member Edsall made a motion seconded by Council Member Stradley to go into executive session to discuss the Police Contract and a Personnel problem. The Board went into executive session at 8:30pm.

MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays

Attest,

RESOLUTION
OF
MARCH 12, 2012

A RESOLUTION OF THE
TOWN BOARD
EXTENDING THE FILING DATE
OF THE FINANCIAL INFORMATION
TO THE TOWN CLERK

Council Member **Stradley** moved the following resolution which was seconded by Council Member **Edsall**.

WHEREAS, a summary of the financial condition of the Town must be filed with the Town Clerk by the end of January each year; and

WHEREAS, the Annual Update Document (AUD) is due to the Town Clerk and State Comptroller by April 1st or May 1st, with an extension, of each year.

NOW, THEREFORE BE IT RESOLVED, that the Town Board, of the Town of Highlands, is extending the filing of the financial data to April 1st or May 1st, with an extension, to coincide with the filing of the Annual Update Document.

BE IT FURTHER RESOLVED that the aforesaid resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

William Edsall, Council Member voting **Aye**

Holly Gokey, Council Member voting **Aye**

James Stradley, Council Member voting **Aye**

June Gunza., Council Member voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting Of the Town Board, Town of Highlands, on March 12, 2012.

June Patterson, Town Clerk

RESOLUTION
OF
MARCH 12, 2012

A RESOLUTION OF THE
THE TOWN OF HIGHLANDS TO
AUTHORIZE EXECUTION OF AN AGREEMENT
BETWEEN THE TOWN OF HIGHLANDS
AND ORANGE COUNTY FOR
NEW YORK STATEWIDE MASS TRANSPORTATION
OPERATING ASSISTANCE PROGRAM

Council Member **Gokey** moved the following resolution which was seconded by Council Member **Stradley**.

WHEREAS, the County of Orange has determined there is a need to provide affordable transportation to the residents of the County that live in rural areas, and

WHEREAS, the County of Orange has determined that a joint effort with the local municipality is the most proficient way to provide such services to the residents, and

WHEREAS, the Town of Highlands is in agreement with the County of Orange findings for the needs and administration of such services, and

WHEREAS, it is required by the County of Orange that the Town Board approve the 2012 Bus Operator Agreement, its form and manner of execution, and

NOW, THEREFORE BE IT RESOLVED, that we the Town Board of the Town of Highlands approve the document entitled "Bus Operator Agreement" as to its form and manner of execution and authorizes the Supervisor to sign the agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman voting **Aye**

June Gunza, Councilwoman voting **Aye**

Holly Gokey, Councilwoman voting **Aye**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and Adopted at a meeting of the Town Board, Town of Highlands, on March 12, 2012.

June Patterson, Town Clerk

RESOLUTION

OF

MARCH 12, 2012

A RESOLUTION OF THE
THE TOWN OF HIGHLANDS TO
AUTHORIZE EXECUTION OF AN AGREEMENT
BETWEEN THE TOWN OF HIGHLANDS
AND ORANGE COUNTY FOR
STOP DWI PROGRAM SERVICES

Council Member **Gokey** moved the following resolution which was seconded by Council **Gunza**.

WHEREAS, the County of Orange in the State of New York (the "County") has proposed an Agreement (the "Agreement") with the Town of Highlands Police Department the purpose of which is to promote additional police road patrols to detect impaired/intoxicated drivers;

WHEREAS, the Town Board has reviewed the terms and conditions of the Agreement and deems it to be in the public interest for the Town of Highlands to enter into the Agreement.

NOW, THEREFORE, BE IT RESOLVED; that the Supervisor be and she hereby is authorized and directed to execute the Agreement; and

BE IT FURTHER RESOLVED, that the Supervisor and officers of the Town are hereby authorized and empowered to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and the terms and conditions of the Agreement; and

BE IT FURTHER RESOLVED that the aforesaid resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman voting **Aye**

June Gunza, Councilwoman voting **Aye**

Holly Gokey, Councilwoman voting **Aye**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Abstain**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and Adopted at a meeting of the Town Board, Town of Highlands, on March 12, 2012.

June Patterson, Town Clerk